



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

CNC
F.#2013R00948

*610 Federal Plaza
Central Islip, New York 11722*

March 24, 2014

By Hand and ECF

Randi Chavis, Esq.
Federal Defenders of New York, Inc.
700 Federal Plaza
Central Islip, NY 11722

Re: United States v. Philip Kenner
Criminal Docket No. 13-607(JFB)

Dear Ms. Chavis:

Enclosed please find discovery provided by the government in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery supplements the discovery provided on January 16, 2014, January 23, 2014, February 10, 2014, March 6, 2014 and March 11, 2014. The government renews its request for reciprocal discovery.

Enclosed herein please find two (2) one-terabyte portable hard drives, which contain imaged copies of the electronic devices that were recovered from defendant Philip Kenner's home in Scottsdale, Arizona on November 13, 2013, pursuant to a search warrant. I also enclose a redacted copy of an FBI report summarizing the documents and objects seized from Kenner's home, including the various electronic devices.

As the government noted in court on March 11, 2014, the enclosed electronic discovery will not be produced to co-defendant Tommy Constantine until the government has completed its privilege review of the electronic files. Once the privilege review is completed, the government will provide Constantine with a copy of all the electronic data, except for those materials which are deemed to fall under the attorney-client or attorney work product privilege. The privilege review is being conducted by an AUSA and FBI agent, who are not and never will be part of the prosecution team on this case.

The government will continue to provide discovery. Please do not hesitate to contact me if you have any questions or requests.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

By: /s/Carrie N. Capwell
Carrie N. Capwell
Assistant U.S. Attorney
(631) 715-7836

Enclosures

cc: Clerk of the Court (JFB) (by ECF) (without enclosures)
Joseph Conway, Esq. (by ECF) (without enclosures)